

Need to Make Immediate Repairs?



Document by:

- **Taking pictures** – photos, videos, digital
- Crews need to document damages and actions taken in daily logs
- Tracking equipment & material costs by site
- Tracking labor costs by person by project
- Track **all** of your costs involved with damage assessment separately
- Environmental / Historic precautions
 - Document emergency contacts with USACE, WDOE and WDFW

Making Repairs



- Document! Document! Document!
 - Small Works Roster – fully document all attempts and answers (up to \$100,000)
 - Maintain copies of contracts, plans and specifications, bid tabulations
 - Copy of resolution by governing body to waive competitive bid process - for emergency contracts
 - Debarred / Suspended Contractor – state & federal?
 - Discretionary payments are not reimbursed – “The Director may pay overtime...”

Making Repairs - continued



- RESTRICTED time and materials contracts
- No cost plus percentage contracts
- State Prevailing Wages – **no** exceptions
- Other Documentation
 - Mutual Aid Agreements
 - Collective Bargaining Agreements
 - EOC Logs - Job Site Logs - Inventory Logs
 - Contract Logs - Purchasing Logs

Donated Resources



- Who worked, hours worked, on what days, and what did they do? (**Who, what, where, when and why**)
- Materials – invoice for donated resource
- Salary Schedule – to support hourly rate to be recognized
- Credit against non-federal share for Category A and B Work

Accepted Procurement Methods



- Small purchase procedures
- Sealed bids
- Competitive proposals
- Non-competitive proposals



Thurston County – March 2001

Non-Competitive Proposals



- Document why you chose this type of contract
- Cost-analysis is required
- Only use when the award of a contract is not feasible under small purchase procedures, sealed bids, or competitive proposals, and one of the following circumstances applies:
 - FEMA may authorize noncompetitive proposals
 - The item is available only from a single source
 - There is an emergency requirement that will not permit delay
 - Solicitation from a number of sources has been attempted, and competition is determined to be inadequate.

Emergency Contracting



- Emergency Proclamation must waive the competitive bid process and be in place prior to signing any contracts
- Document all actions
- Ensure Cost Analysis is performed
- Get your contracting office involved ahead of time
- Follow up within a short period with open, competitive process

Acceptable Contracts



- Lump Sum Contracts
- Unit Price Contracts
- Cost Plus a Fixed Fee Contracts



Generally Unacceptable Contracts



- Time & Materials or Time & Equipment Contracts
- Piggyback Contracts

FEMA strongly discourages these types of contracts

Time & Materials Contracts



- Accepted only in very limited situations
- Generally not more than 70 hours for work that is necessary immediately after a disaster when a clear scope of work cannot be developed
- Requirements
 - Must have a written scope
 - Must have a cost ceiling or “not to exceed” provision
 - Strict monitoring & documentation of expenses
 - Cost must be reasonable & work must be approved and within the scope
- Prescribed duration for emergency work only
- Cost structure for labor to include overhead & profit
 - Overhead and profit must not be broken out separately
- Use FEMA approved equipment rates
- Competition still a requirement unless emergency occurs that requires immediate response or there is no available competition

Piggyback Contracts



- A concept of expanding a previously awarded contract.
- Does not meet the requirements of 44 CFR 13
 - it is non-competitive
 - may have an inappropriate price structure
- This type of contract is not eligible.
 - However, FEMA may separately evaluate and reimburse costs it finds fair and reasonable. This is extremely rare!
 - Limited dollar amount

Unacceptable Contracts



- Costs plus a percentage of Cost
 - Specifically disallowed under 44 CFR 13.36 (f)(4)
- Contingency Contracts
 - Specifically disallowed under federal procurement guidelines
 - There is never an advance assumption of federal reimbursement
- Verbal Contracts

Verbal Contracts

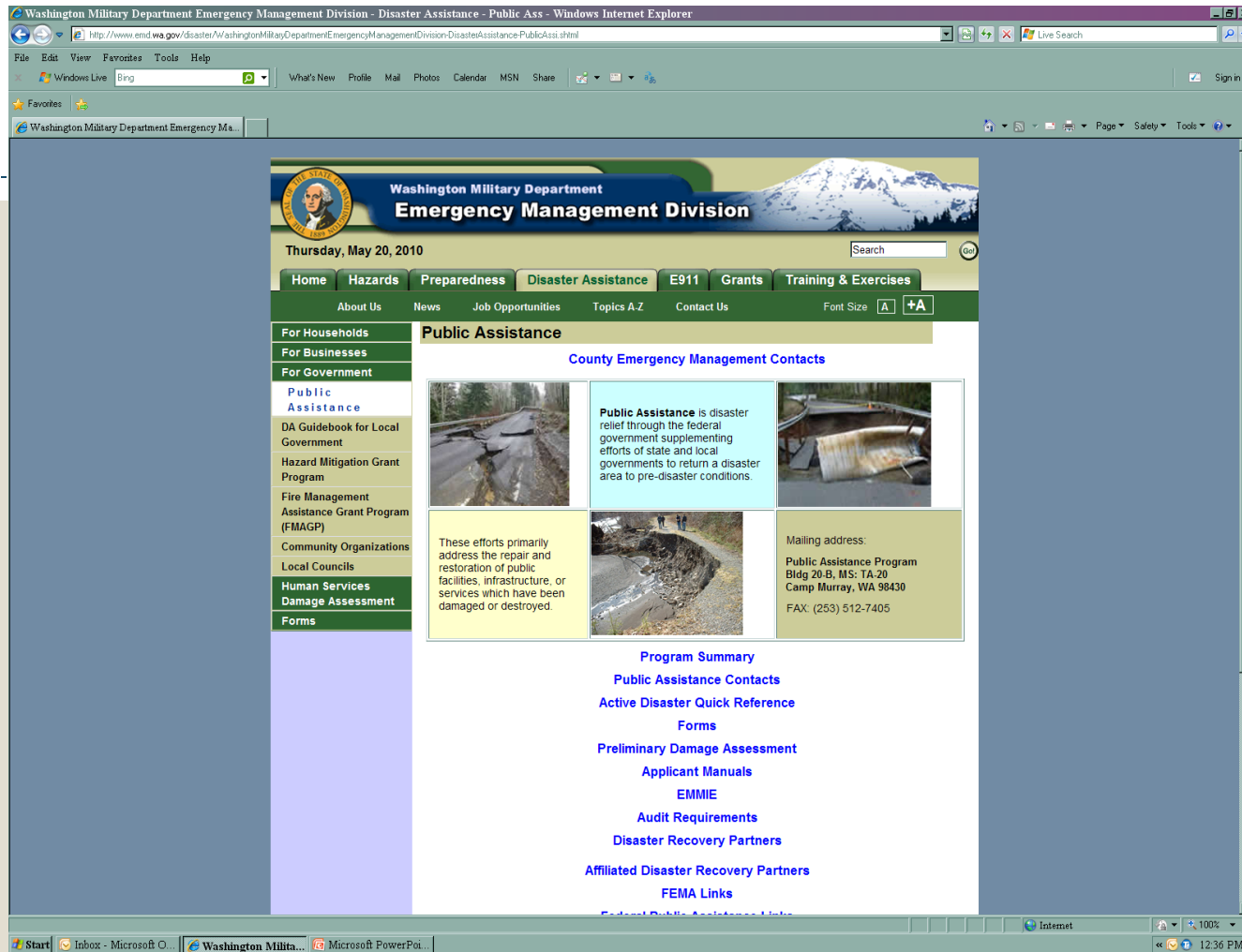


- No verbal contracts
- Specifically prohibited under federal procurement regulations
- On an emergency basis, an agency may grant an on-site, verbal authorization of a contract. This must be followed up immediately (*within 3 days*) by a written contract that meets all federal procurement regulations.

Washington State Disasters



<u>Disaster</u>	<u>Disaster Date</u>	<u>Total Funded</u>
1361-DR-WA	2/2001	\$83,549,349
1499-DR-WA	11/2003	\$11,434,225
1641-DR-WA	1-2/2006	\$ 8,452,625
1671-DR-WA	11/2006	\$32,402,413
1682-DR-WA	12/2006	\$38,832,929
1734-DR-WA	12/2007	\$67,376,983
1817-DR-WA	01/2009	\$63,151,961
1825-DR-WA	12/2008	\$34,274,033
1963-DR-WA	01/2011	\$ 8,714,378



Public Assistance Web Address:

<http://www.emd.wa.gov/disaster/WashingtonMilitaryDepartmentEmergencyManagementDivision-DisasterAssistance-PublicAssi.shtml>

Staff Resources



- Gary Urbas
Deputy SCO
Public Assistance
253-512-7402
g.urbas@emd.wa.gov
- Jill Nordstrom
Regional PA Supervisor
253-512-7428
j.nordstrom@emd.wa.gov

- Alysha Kaplan,
Regional PA Supervisor
253-512-7434
a.kaplan@emd.wa.gov

PA Fax number:
253-512-7405

Public Assistance Coordinators



Evelyn Peters
e.peters@emd.wa.gov
253-512-7423

Jon Holmes
j.holmes@emd.wa.gov
253-512-7429

Matt Stoutenburg
m.stoutenburg@emd.wa.gov
253-512-7452